

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36164 of 2017

Arising Out of PS.Case No. -366 Year- 2016 Thana -JAMUI District- JAMUI

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1. Milan Kanti Das Son of Madhusudan Das Resident of Village:-
Haludbani, Parsudih, Tata Nagar, East Singhbhoom, Jharkhand, At present
C/o. Manoj Kumar, Chitragupta Colony, Sirchand Nawada P.S.:- Jamui,
District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Pd. Keshri

For the Opposite Party/s : Mr. Sri Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 420, 467,
468, 471 and 120B of the Indian Penal Code.

According to complaint based FIR, the petitioner is
said to have purchased the land from co-accused Kaushal Kishore
Singh, the land of the complainant.

Learned counsel for the petitioner submits that the
civil suit is already going on between the parties for same property
and the law is well settled that no one can transfer better title than
he himself possess. Therefore, if Kaushal Kishore Singh would not



have title, the petitioner paid consideration money hence, the petitioner would be looser in the transaction.

Considering the aforesaid fact, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui/successor Court in connection with Jamui Police Station Case No. 366 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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